

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 100157.149US2)

In re Application of: Glynn ) Examiner: To Be Assigned  
Serial No. 10/821,696 ) Group Art Unit: 2182  
Filing Date: April 9, 2004 )

For: BALANCED BENCHMARK TOOL FOR A MASS STORAGE SYSTEM

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CERTIFICATE OF FIRST CLASS MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below.

8/04/04  
Date

Amanda Ripley  
Amanda Ripley

\*\*\*\*\*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Enclosed for filing in the above-identified patent application please find the following:

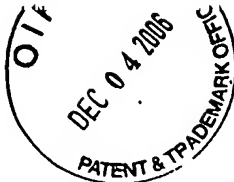
1. Information Disclosure Statement (2 pages);
2. Forms PTO-892 (3 Pages Total) Copied From U.S. Patent Application No. 09/542,171;
3. Certificate of First Class Mailing, and;
4. Return Postcard.

No fees are believed to be due in connection with this submission; however, please charge any fees that might be due or credit any overpayment to our Deposit Account No. 08-0219.

Respectfully submitted,

Date: 8-4-04  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
60 State Street  
Boston, MA 02109  
(617) 526-6000  
(617) 526-5000 (Facsimile)

Rajesh Vallabh  
Rajesh Vallabh, Reg. No. 35,761  
Attorney/Agent for Applicant



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Amanda Ripley

\*\*\*\*\*  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R., Applicant submits herewith the attached Forms PTO-892 for filing in the above-referenced application. The present application is a continuation of U.S. Patent Application No. 09/542,171. The Forms PTO-892 attached herewith list references that were already cited by the Examiner of the parent application; therefore, pursuant to 37 C.F.R. § 1.98 (d), no copies of the previously cited art are enclosed. This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97 (b) before the mailing date of the first Office Action, therefore no fee is believed to be due.

This submission does not represent that a search has been made and does not constitute an admission that the listed documents are material to the patentability of the invention, or that the listed documents are prior art. Applicant reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application. If it should be determined that any of the listed documents constitute prior art under United States law, Applicant reserves the right to present to the Office relevant facts and law regarding the significance of such documents to the patentability of the claimed invention.


U.S. Patent Application No. 10/821,696  
Information Disclosure Statement  
Page Two

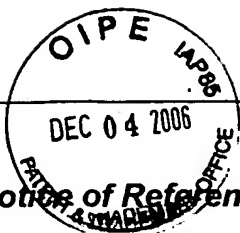
It is respectfully requested that the Examiner initial and return a copy of the enclosed Forms PTO-892 with the next Patent Office communication.

Please charge any fees that might be due in connection with this matter to Deposit Account No. 08-0219. If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

Date: 8-4-04  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
60 State Street  
Boston, MA 02109  
(617) 526-6000  
(617) 526-5000 (Facsimile)

  
Rajesh Vallabh, Reg. No. 35,761  
Attorney/Agent for Applicant



# Notice of References Cited

Application/Control No.

09/542,171

Applicant(s)/Patent Under  
Reexamination  
GLYNN, WILLIAM

Examiner

Raymond Phan

Art Unit

2181

Page 1 of 1

## U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6434637	08-2002	D'Errico	710/38
	B	US-5895493	04-1999	Gatica	711/147
	C	US-5953689	09-1999	Hale et al.	702/186
	D	US-5892955	04-1999	Ofer	710/241
	E	US-5898863	04-1999	Ofer et al.	395/500
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

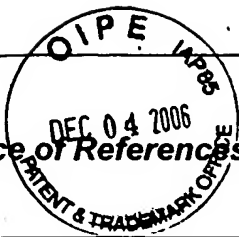
## FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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	O					
	P					
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## NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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## U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-802547	09-1998	Legvold	711/100
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
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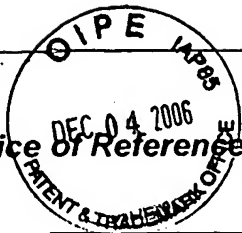
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A	US-6341317	01-2002	D'Errico et al.	710/15
B	US-6108684	08-2000	DeKoning et al.	709/105
C	US-6347358	02-2002	Kuwata	711/113
D	US-5689678	11-1997	Stallmo et al.	711/113
E	US-5568629	10-1996	Gentry et al.	711/113
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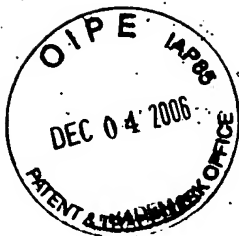
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of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
n MM-YYYY format are publication dates. Classifications may be US or foreign.



Title: Balanced benchmark tool for a moss storage ...

Serial/Patent #: 10/821/696 Inventor: Glynn Applicant: Glynn

The following have been received by the US Patent and Trademark Office on the date stamped hereon.

- ☐ Express Mail Label No. \_\_\_\_\_ ☐ Fee Transmittal Form ☒ Transmittal Form
- ☒ Certificate of Mailing - 37 CFR 1.8(a) ☐ Deposit Account Authorization
- ☐ Applicant Claims Small Entity Status ☐ Copy of/☐ Response to: Notice to File Missing Parts
- ☐ Provisional Application Cover Sheet ☐ Preliminary Amendment
- ☐ New Application ( \_\_\_\_\_ Design) ☒ PDS, PTO 892, and 0 publications (Supl \_\_\_\_\_)
- Specification - Total Pages \_\_\_\_\_ ☐ Sequence Listing: ☐ CD-ROM ☐ Disc (CRF) ☐ Paper
- Formal Drawings - Total Sheets \_\_\_\_\_ ☐ Petition for \_\_\_\_\_ month extension of time
- ☐ CPA application ☐ RCE application ☐ Response to Office Action / Restriction Req.
- ☐ Oath of Declaration: \_\_\_\_\_ newly executed ☐ Notice of Appeal
- \_\_\_\_\_ unsigned; \_\_\_\_\_ copy from priority case ☐ Appellant's Brief (triplicate) (☐ Reply Brief)
- ☐ Assignment and Recordation Form ☐ Issue Fee + \_\_\_\_\_ soft copies / ☐ Maintenance Fee
- ☐ Application Data Sheet (Initial Information Data Sheet)
- ☐ Continuation ☐ Divisional ☐ Continuation-in-Part of App No: \_\_\_\_\_
- ☒ Other: 105
- ☒ Other: PTO 892 copied from U.S. Patent application No. 09/542,170
- Mailing Date: 08/04/04 CM No. 100157-149 US2 Filed By: RV/VJS